

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19438 of 2019**

Arising Out of PS. Case No.-261 Year-2017 Thana- TEGHRHA District-
Begusarai

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Gangesh Choudhary @ Gangesh Kumar aged about 24 years, male, Son of
Jagdish Choudhary Resident of Village - Maksaspur, P.S.- Cheriya,
Bariyarpur, District- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Rai Mukesh Sharma, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 01-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 458 and 380 of the Indian Penal Code
registered in connection with Teghra P.S. Case No. 261 of 2017.

3. It is submitted that the petitioner has been falsely
implicated and the petitioner is not named in the F.I.R. His name
has transpired merely on the extra judicial confessional
statement of co-accused Radha Krishna Choudhary @ Baua in
course of investigation. Similarly situated co-accused Satyam
Kumar has been granted anticipatory bail by this Court in Cr.
Misc. No. 15759 of 2018.

4. Be that as it may, in the event of the petitioner's
arrest or surrender before the court below within six weeks from
the date of communication of this order, let the above named
petitioner be released on bail on furnishing bail bond of
Rs.10,000/- (ten thousand) with two sureties of like amount each



to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Teghra P.S. Case No. 261 of 2017, G.R. No. 3335 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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